

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD PAUL ZUCKERMAN,)	
)	
Petitioner,)	Civil Action No.: 91-108 (JLL)
)	
v.)	O R D E R
)	
UNITED STATES OF AMERICA)	
)	
Respondent.)	
)	

LINARES, District Judge.

This matter comes before the Court on the request for a hearing and for an application form for the appointment of a Criminal Justice Act attorney filed by Richard Paul Zuckerman (“Petitioner” or “Zuckerman”), received by this Court on November 12, 2008.

In an Order dated October 16, 2008, this Court ordered the United States to respond to Zuckerman’s petition within thirty days. As the Government has not yet responded, this Court finds that the issue of whether to grant a hearing on Zuckerman’s petition is not yet ripe for decision. Surrick v. Killion, 449 F.3d 520, 527 (3d Cir. 2006) (noting that ripeness requires that an issue be fit for judicial decision).

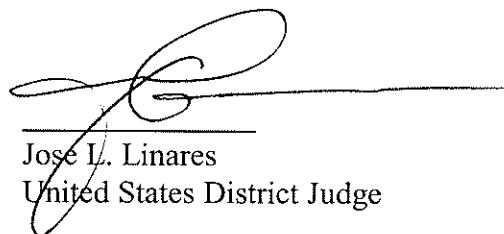
In that same Order, this Court denied Zuckerman appointed counsel. (Order of Oct. 16, 2008 at 3.) In the Opinions accompanying that Order, this Court found that the relief Zuckerman seeks from this Court places him outside of the statutory framework for appointment of counsel under the Civil Justice Reform Act, 18 U.S.C. § 3006A. (Op. of Oct. 16, 2008 at 6.)

Zuckerman's request for application forms for the appointment of CJA counsel, therefore, must be denied. For the foregoing reasons, therefore,

IT IS on this 18th day of November, 2008,

ORDERED that Petitioner's request for the CJA appointment forms is DENIED; and it is further

ORDERED that Petitioner's request for a hearing is DENIED.



Jose L. Linares
United States District Judge